

**IN THE DISTRICT COURT OF THE VIRGIN ISLANDS**

**DIVISION OF ST. CROIX**

**SORAYA DIASE COFFELT, JOHN CANEGATA  
AND RONALD CHARLES,**

**PLAINTIFFS,**

**V.**

**CAROLINE F. FAWKES, IN HER OFFICIAL  
CAPACITY AS SUPERVISOR OF ELECTIONS FOR  
THE VIRGIN ISLANDS AND GOVERNMENT OF  
THE VIRGIN ISLANDS,**

**DEFENDANTS.**

**1:14-CV-25**

**ACTION FOR TEMPORARY RESTRAINING  
ORDER, PRELIMINARY INJUNCTION,  
PERMANENT INJUNCTION AND  
DECLARATORY RELIEF**

**DECLARATION OF DOLACE MCLEAN**

I, Dolace McLean, declare under the penalty of perjury the following:

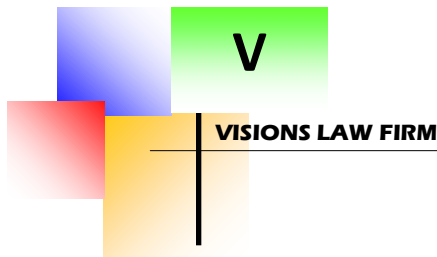
1. I am over the age of majority and am making this declaration in St. Thomas, U.S. Virgin Islands.
2. I am an attorney admitted to practice in the U.S. Virgin Islands and the District Court of the Virgin Islands.
3. I have been practicing law since 2005 and am a 2004 graduate of Cornell University Law School.
4. The focus of my practice is appellate litigation and I have briefed and argued numerous appeals in the United States Court of Appeals for the Third Circuit, the Virgin Islands Supreme Court, and the Appellate Division of the District Court of the Virgin Islands.

5. I was engaged to assist with the appeal in this matter because the appeal had to be prosecuted in an expedited fashion and Attorney Andrew C. Simpson, the attorney of record, was traveling while the case was being briefed and did not have access to certain resources that I had ready access to.
6. I was engaged on July 10, 2014 for a flat fee of \$4,000.
7. I normally handle appellate work on a flat fee basis.
8. Initially I estimated approximately 10 hours of work based on a \$400/hour rate
9. Ultimately, I spent double the time planned and I ended up delivering services at half of my usual hourly rate.
10. I was tasked with numerous assignments as part of my work, including researching Virgin Islands Sessions Laws to determine what Virgin Islands election law was before the Legislature adopted the Virgin Islands Election Code in 1963 (particularly with respect to whether independent candidates were required to swear that they were not members of a party); researching Pennsylvania Session Law to identify changes made to the Pennsylvania Election Code so that we could be sure that we accurately represented the state of Pennsylvania law in 1963 (when it was used as the model for Virgin Islands law); a complete rewrite of an early version of the Appellant's Opening Brief.
11. I spent approximately 20 hours working performing all of the above work.
12. Further Declarant sayeth naught.

October 21, 2014

*//s Dolace McLean*

Dolace McLean



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Invoice Date	21 Oct 14
Due Date	upon receipt

**SORAYA DIASE-COFFELT V. CAROLINE FAWKES AND VI BOARD OF ELECTION**

<b>Categories</b>	
Total Time	20 hours
Rate Per Hour	n/a - flat fee negotiated
Expenses	0.00
<b>GRAND TOTAL</b>	<b>\$4, 000.00</b>

Date	Title	Brief Description of Services	Hours
11 July 14	Statute Review	Visit district court to review pertinent statutes at issue. Found relevant 1963 amendments but no section 121. Reviewed 1968 amendments and the note section of the 1998 amendments [as amended in 2005 and 2011] referring to section 121. Spoke with the law librarian, Carol Grant, regarding history of 18 VIC 121. Research Penn. Session Laws regarding 1963 Code as the basis for the VI statute.	3.5
12 July 14	Memorandum Opinion & TRO Transcript	Digest Memorandum Opinion written by Judge Lewis denying relief on 6.6.14. Review each party's filings including Final Verified Complaint and the Memoranda of Law in Support/Opp. And Reply for Injunctive Relief filed with the district court. Digest transcript of 5 hour TRO hearing.	6.0
12 July 14 to 15 July 14	Motion for Injunctive Relief before Dist. Ct. and 3 <sup>rd</sup> Cir. Ct. of	Draft, review, edit, revise and finalize sections of Motion for Injunction before the district court, and subsequent	3.5

	Appeal	Motion for Injunction filed before the Third Circuit Court of Appeals. Exchanged telephone calls and emails with SDC and AS regarding best way to move forward with putting in arguments.	
13 July 14 to 15 July 14	Appellate Brief Preparation	Legal research outline on VI Code and party affiliate requirement for electors. Draft, review, edit, revise and make edits to draft brief. Multiple phone conferences with SDC, several phone conferences with SDC and AS over the issues at stake and the direction of the brief. Review draft briefs forwarded by AS. Review several edited versions of the brief sent by SDC, which included issues of first impression such as fusion candidates, political test doctrine and Skidmore v. Swift analysis as applied to decisions of VI Bd. of Elections. Performed significant revisions of brief including statement of the case, summary of argument, standard of review and overall editing.	7.0
	<b>Grand Total Hours</b>		<b>20.0</b>